

United States District Court		DISTRICT Eastern District of Pennsylvania
UNITED STATES OF AMERICA v. PATRICK GIBLIN		DOCKET NO.
		MAGISTRATE'S CASE NO. <i>13 - 242 - M</i>
Complaint for violation of 18 U.S.C. § 751(a) (escape)		
NAME OF JUDGE OR MAGISTRATE Honorable ELIZABETH T. HEY		OFFICIAL TITLE U.S. Magistrate Judge
LOCATION Philadelphia, PA		
DATE OF OFFENSE January 18, 2013	PLACE OF OFFENSE Philadelphia, PA	ADDRESS OF ACCUSED (if known)
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION		
<p>On or about January 18, 2013, in the Eastern District of Pennsylvania, the defendant PATRICK GIBLIN, having been committed to the custody of the Attorney General of the United States following his conviction of a felony in the United States District Court for the District of New Jersey, knowingly and without authorization, escaped and remained absent from the Luzerne Community Corrections Center in Philadelphia, Pennsylvania, that is, the federal institution or facility to which the defendant was confined by the Attorney General of the United States, in violation of Title 18, United States Code, Section 751(a).</p>		
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:		
SEE AFFIDAVIT ATTACHED HERETO		
MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED:		
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT (official title) <i>ctm</i>	
	OFFICIAL TITLE Christian Tumolo Deputy United States Marshal	
Sworn to before me and subscribed in my presence.		
SIGNATURE OF MAGISTRATE <i>E. Hey</i>	DATE <i>02/25/13</i>	
Honorable ELIZABETH T. HEY, United States Magistrate Judge		

(1) See Federal Rules of Criminal Procedure rules 3 and 54.

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Christian Tumolo, being duly sworn, state the following:

1. I am a Deputy United States Marshal and have been so employed for over eight years. I am currently assigned to the United States Marshals Service (“USMS”), Fugitive Task Force, in the Eastern District of Pennsylvania. As a federal agent, I am authorized to investigate violations of federal law and to execute warrants issued under the authority of the United States.

2. As explained below, I have probable cause to believe that Patrick GIBLIN has escaped from the custody of the Attorney General in violation of 18 U.S.C. § 751(a).

3. This affidavit is based on my personal knowledge, review of public records and other documents, and information provided by other law enforcement and corrections officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause to support a criminal complaint, I have not included every fact known to me concerning this investigation.

4. On or about April 17, 2007, defendant Patrick GIBLIN was sentenced by the Honorable Robert B. Kulger in the United States District Court for the District of New Jersey to a total term of imprisonment of 115 months, three years of supervised release, \$182,443.98 in restitution, and \$1,000 in special assessments for his convictions on ten (10) counts of wire fraud, in violation of 18 U.S.C. § 1343. GIBLIN had been in federal custody since his arrest in March 2005.

5. On or about December 4, 2012, pursuant to a transfer order/furlough issued by Warden James Cross at the Federal Correctional Institution in Greenville, Illinois (“FCI Greenville”), defendant Patrick GIBLIN was transferred from FCI Greenville to the Luzerne Community Corrections Center in Philadelphia, Pennsylvania (“LCCC”) to serve, as a part of his

sentence, 180 days in a community setting prior to his release.

6. On or about December 6, 2012, as a part of his processing, Patrick GIBLIN received an LCCC Resident Handbook. On page 24 of this handbook, paragraph three (titled "Escapes") states in summary that, if a person is absent from LCCC without authorization, it will be considered to be an escape. GIBLIN signed and dated a receipt for this handbook.

7. On or about January 18, 2013, defendant Patrick GIBLIN left LCCC with authorization to search for employment in Atlantic City, New Jersey. GIBLIN was required to return to LCCC by 8:30 p.m. that evening. However, as of 8:30 p.m. that evening, GIBLIN had not returned to LCCC. At that point, LCCC staff checked all the local hospitals and jails to ascertain GIBLIN's whereabouts but learned of no new information. LCCC staff notified the Community Corrections Manager at 10:30 p.m., along with other mandatory notifications, and GIBLIN was subsequently placed on "escape" status. GIBLIN never returned to LCCC.

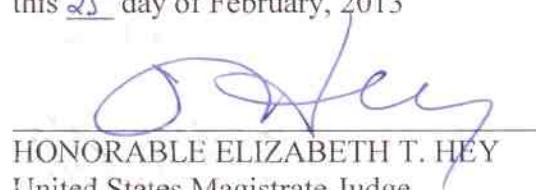
8. On or about February 5, 2013, defendant Patrick GIBLIN was arrested by members of the USMS Regional Fugitive Task Force at the Rodeway Inn, 3601 Pacific Avenue, Room Number 106, in Atlantic City, New Jersey.

9. Based upon the information above, I have probable cause to believe that, on or about January 18, 2013, defendant Patrick GIBLIN knowingly and without authorization, escaped and remained absent from the Luzerne Community Corrections Center in Philadelphia, Pennsylvania, that is, the federal institution or facility to which the defendant was confined by the Attorney General of the United States, in violation of 18 U.S.C. § 751(a).



Christian Tumolo
Deputy United States Marshal
United States Marshals Service

Sworn to and subscribed before me
this 25 day of February, 2013



HONORABLE ELIZABETH T. HEY
United States Magistrate Judge